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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

) Group Art Unit: 1654

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MCNEIL et al.

) Examiner: Michele Flood

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Serial No.: 10/716,163

)

Filed: November 17, 2003

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Atty. File No.: 5009-1

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For: PHARMACEUTICAL COMPOSITION)

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA VA 22313-1450, ON 8 Dec 2004.

SHERIDAN ROSS P.C.

BY: 

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited non-patent and/or foreign references are enclosed herewith.

Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with the waiver dated July 11, 2003, whereby patent applications filed after June 30, 2003 and international applications that have entered the national stage under 35 U.S.C. § 371 after June 30, 2003 need not submit copies of U.S. patents and U.S. patent application publications.

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

The information disclosure statement transmitted herewith is being filed before the mailing date of one of the following conditions:

- (1) a final action under 37 C.F.R. 1.113 or
- (2) a notice of allowance under 37 C.F.R. 1.311, or
- (3) an action that otherwise closes prosecution in the application.

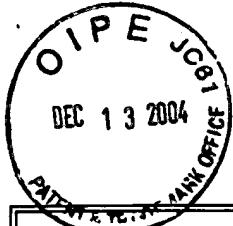
The undersigned certifies that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1). A copy of the communication from the foreign patent office is enclosed.

Respectfully submitted,

SHERIDAN ROSS P.C.

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Date: 8 DEC 2004



FORM PTO-1449

**U.S. DEPARTMENT OF COMMERCE
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ATTY. DOCKET NO.
5009-1

SERIAL NO.
10/716,163

INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)

APPLICANT

FILING DATE

November 17, 20

FILING DATE

FILING DATE

FILING DATE

GROUP ART

1614

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	AA	4,999,200	3/12/1991	Casillan	424	480	
	AB						
	AC						

FOREIGN PATENT DOCUMENTS

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	AF	
	AG	
	AH	

EXAMINER _____ **DATE CONSIDERED** _____

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.